IN THE HIGH COURT OF JUDICATURE AT BILASPUR

(CHHATTISGARH)

WRIT PETITION No. 85 /2001

PETITIONER : M/s. Sunbright Marketing Pvt. Ltd., a company incorporated under the provisions of Indian Companies Act, 1956, through Shri S.S. Gupta, S/o. Shri Vallabh Gupta, aged about 47 years, Authorised Attorney of the Company, R/o. 199, Civil Lines, Raipur (Chh.)

V E R S U S

RESPONDENTS : 1. State of Chhattisgarh, Through Principal Secretary Commercial Tax Department, (Excise), Govt. of Chhatigarh, Mantralaya, Raipur (Chh.)

2. Commissioner of Excise Chhattisgarh, Raipur, (Chh.)

3. Collector, Raipur (Chh.)

4. M/s. Sandeep Traders
c/o Mr Amolak Sing.
Katora talab Raipur

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT, ORDER, DIRECTION ETC.

XI-HC-22

High Court of Chhattisgarh
~~उच्च न्यायालय, मध्यप्रदेश, जबलपुर~~

आदेश पत्रक

मामला क्रमांक W.P.29/2001 सन् 199

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

15.01.2001

Shri Alok Aradhe, learned counsel for the writ petitioner.

Dr. N.K.Shukla, learned Dy.Advocate General for respondents No.1 to 3.

Heard.

The petitioner was a successful bidder and his tender was accepted. This petition is directed particularly against respondent No.4 whose tender was not accepted but the sum of Rs.2.75 crores which ought to have been forfeited, ~~According~~ has not been forfeited, according to the petitioner, in-asmuch as such condition was incorporated in the notice inviting tender and as well as in a representation submitted by Respondent No.4 himself.

The petitioner contends that the said sum of money has not been forfeited by passing an appropriate order in this regard by the Collector. It appears that the appropriate authority in the present case should be the Commissioner of Excise. However, in the entire facts and

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circumstances narrated in the petition and on perusal of the documents, I am of the view that petitioner cannot be said to be an aggrieved person/party for non forfeiture of the sum of Rs.2.75 crores deposited by Respondent No.4.

In this view of the matter, I am not inclined to entertain this petition.

Learned counsel for petitioner submits that since a large sum of money is involved, it will be in the interest of public that such petition is examined by the court. In other words, the learned counsel for petitioner makes a prayer that this petition may be treated as Public Interest Litigation.

I am ~~tentatively~~ of the view that the petitioner has no locustandi to approach this court in the nature of Public Interest Litigation, inasmuch as, the petitioner was a successful bidder.

Accordingly, this writ petition is rejected.

However, if, so advised and if circumstances ~~exists which~~ would warrant interference by this court in Public Interest Litigation, the party may submit/file the appropriate petition.

C.C.

DLR/

Sd/-
Chief Justice

GRPRJ—FS/4—4/99—20.000 .

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